

8/1/23

Notice Of Appeal

Motion to Dismiss



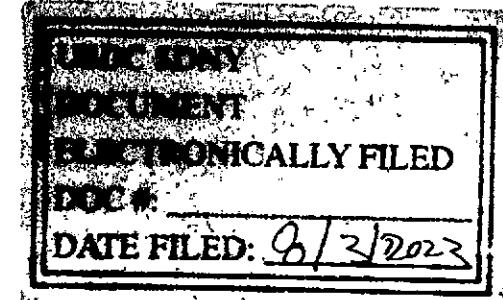
Treaty of Peace and friendship 1787 between the Empire of Morocco & the United States

Case:22crim 644

The UNITED STATES OF AMERICA

V.

Lucha El Por Libertad



Bruen requires an historical analysis of "this nations" firearms regulations. Yet, the law which the judge relied upon, are colonial laws, whereby the people themselves were not considered sovereign, nor were they free. They were subject to the British crown. Firearms regulation after the war of independence was stark in comparison to when the people were subject to Britain. The crux of the decision also appears to be founded upon the extensive history in both England and the colonies of disarming those deemed dangerous and requiring large swathes of the citizenry to swear loyalty oaths in order to demonstrate they were not dangerous. See Kanter, 919 F.3d at 456-58 (Barret, J., dissenting) (discussing the power of both the Crown and colonial legislatures to disarm those deemed dangerous).

Again these are laws from when members of the colonies were not sovereign nor free. It was not until the war of independence, for these exact reasons. The second amendment was established and declared that it shall be infringed. It is sad that the courts of this country are justifying its actions by relying on British colonial law, when it was these very laws that gave cause to the war of independence. It seems now, that the courts are seeking to be the oppressors of its people akin to how the British were the oppressors of the colonists. But, to safeguard against this, the second amendment was written and the people need to take heed to this case as it proves the government's intent to behave in the same manner as the oppressive red coats.

The concurring opinion and not judicial decision of one of the Supreme Court justices: stated that nothing in its analysis "should be interpreted to suggest the unconstitutionality of the 43 States' 'shall-issue' licensing regimes," but this was simply a clarification of where the scope of the decision ended, as the issue at bar was the specific need to show a special need to bear arms. The court was merely ruling on a decision brought before it and commenting that it should not be considered to extend beyond matters not yet brought to their attention. It by, by no means was a final ruling declaring that such laws were without debate, constitutional. The court's argument of "likely-constitutional" clearly shows a possibility of unconstitutionality. If something is likely-constitutional then it is also likely-unconstitutional.

The decision in Bruen, contrary to the court's opinion, does not justify 43 states licensing schemes. It was simply an opinion of a judge and not in the decision of the court. What was however, is the fact that there exists several states with constitutional or permit-less carry laws solely based on the fact that the constitution already grants the unlicensed right to bear arms.

Furthermore, the confiscation of guns from those who refused to swear an oath of allegiance, is not akin to a license whatsoever. As the history of a license only applied to slaves. The only thing closely related to this, was the British crown, at will, converting the right to bear arms, into a privilege, then divesting its subjects of the privilege at will. This is exactly what the slave masters did to their slaves under the name of a license or permit. It is the same action that the government is attempting to condone today.

Nordyke v King 563 F.3d 439: “*Self-preservation is commonly called the first law of nature... Self-preservation cannot be repealed, or superseded or suspended by any human institution.*”

Moore v Madison 702 F3d 933: “*armed self-preservation [is] a fundamental natural right... a right to possess guns for resistance, self-preservation, self-defense and protection against both public and private violence.*”

District of Columbia v. Heller, 554 U.S. 570 (2008): “*Americans understood the right of self-preservation as permitting [one] to repel force by force when the intervention of society in his behalf may be too late to prevent injury.*”

Barneblatt v United States 360 U.S. 109:

“*Self-preservation [is] the ultimate value of society.*”

Selective Draft Law 254 U.S. 366: “The highest duty... is to bear arms... This duty is inherent... without it... society could not be maintained.”

United States v Miller *supra* at 178: The Supreme Court stated that the purpose of the second amendment was “to preserve the effectiveness of militias.”

All Rights Reserved
Sasha El For Silvestri

Judge Rakoff is an evil man. This judge has been doing everything in his power to make sure the injustice done against me sticks. He is a terrible man, who is and has allowed a malicious prosecution against me Lucha El a man just like him. I say this he will not break me because Allah is the best of planners. Judge Rakoff is an example of what is wrong with the system. The man is playing with my life going against the law of the land, going against the supreme court's decision. He continues to spit on my rights as a man. This man is a tyrant relying on British colonial law. This judge told me to my face that, yes the constitution is the supreme law of the land but a lot of what will be in this case is what's under it. How is that even possible? Let's say I was charged with murder then the judge would be right in saying that a lot of what would be in my case is under the constitution, logically because murder is a crime and the victims family deserves remedy. I am being charged with receiving an arm, which is my right to keep and bear arms as well as preserve my life. Not only does the constitution remind and assure us the people of our rights nonetheless it is our divine right given to man by the almighty God Allah. The judge is deemed to know law and he is allowing an unconstitutional statute used by the prosecutor to have validity even though its repugnant to the one the greatest documents known to man the constitution. If that's not corruption then what is. For years men have been thrown in dungeons for simply exercising their God given rights on this land. Knowing the history of how the colonies got their freedom, and created their own government on the bedrock principle that all men were given the right to exist and do as they please by the almighty God as well as created equal it is absurd and a shame that today in the year 2023, our freedoms have taken away by tyrants controlling this government. I don't understand the charges against me, honestly. Its pure hypocrisy, the law of the land is clear and the supreme court made it clear that tyrannical judges can no longer interpret it as they please but now must interpret it as it is written. Patrick Henry said in 1778, Guard with jealous intention the public liberty, suspect everyone who approaches that jewel. Unfortunately nothing will preserve it but down right force. Whenever you give up that force you are ruined. The great object is that every man be armed and everyone who is able might have a gun. It's simple tyranny can only reign if the people are disarmed. If you look at the statistics the states of the union who have unconstitutional laws repugnant to the constitution have the highest crime rate. Criminals, bad guys are always going to target the weak and the defenseless, they will never come for someone prepared. My question is, then why do the states with the highest crime rates insist on the people being left helpless and unprepared. Is not life precious, should it not be preserved at all times? Is our safety and the safety of mankind the order of each and everyday upon the almighty God's green earth. Why is it that judge Rakoff blatantly without hesitation continues to step on my rights as a man, rights that are clear and are not to be infringed upon. Is it that I am a slave and do not know that I am? Am I not equal? Am I a dog? Am I not a man? Are all men not created equal? Why is that I am being persecuted for rights that were given to me by my creator, the creator of the seen and unseen the only one worthy of worship, rights that are reaffirmed by the constitution written by and agreed on by men that our rights are given by none other than the almighty God. I am not being charged with hurting no one, I'm not being charged of taking anyone's property or raping nor anything malicious. I am being charged with receiving an arm. I am being tried for taking it upon myself to preserve my life which is my right and my duty to make sure that I prevent anything or anyone from harming me. The crime is against me. The criminal act is being done to me by the prosecutor and judge in this case who are with

disgusting and malicious intent treating me as a minor and not a man at the age of maturity who is able to make my own decisions on how to go about the prevention of harm in my own life. This is injustice, I have been made to be a monster whilst I have no history of violence nor intent or evidence of ever hurting anyone. My life is in the hands of an 80 year old man who has hate in his heart and covers it with a smile and a snake's tongue. A man who has called me dangerous for simply writing him a letter stating nothing but the fact that terrorists have never looked like me in this country but have always throughout true world history resembled him. I am disgusted with what is going on here in this country I would have laid my life on the line for. My mother taught me to love not to hate. I don't care how you look or where you are from. I know that this is the land of my ancestors, I know that we are the boiling pot of the world and that we can live, love, and laugh together. We all belong to one race, the race of man if we treat each other with respect and dignity and respect each others likes, dislikes, and desire to do as each one of us pleases then there would be no issues but, the fact of the matter is that my people the copper toned people have not been left alone to make our own path since the european got here and that is fact. And because I am one of a few that recognize this I am made to be a threat when all I want to do is live and love. Every man should be able to protect himself, his family and the weak if it is his will. I am a good man who has been deceived into believing that justice and freedom reigned supreme on this land and that as the declaration of independence said all men were created equal. I have been a fool, It seems to continue to hope and believe that justice will be served in the malicious prosecution against me. My mother a roman catholic a woman of faith suffers, my son who is six years old suffers, my father a man who has worked his whole life to provide for himself and family suffers but most of all I suffer because I have always been taught to be a stand up man to read, to do better so that i can become and do better and it has all been a hoax a lie. I am a man, a Moor. I am who I am. It is my bloodline, it is my nationality, it is my beginning and end and it does not make me any better nor less but it makes me proud and I will not allow this persecution and execution against me to go any longer. I respectfully demand that I be heard without bias because this is a modern day lynching and it is wrong, nothing short of a sin.

